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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,694	07/12/2001	Leigh Allen Williamson	AUS920010324US1	1615
45993	7590	02/07/2008		
IBM CORPORATION (RHF) C/O ROBERT H. FRANTZ P. O. BOX 23324 OKLAHOMA CITY, OK 73123			EXAMINER TODD, GREGORY G	
			ART UNIT	PAPER NUMBER
			2157	
			MAIL DATE	DELIVERY MODE
			02/07/2008	PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/902,694
Filing Date: July 12, 2001
Appellant(s): WILLIAMSON ET AL.

MAILED

FEB 07 2008

Technology Center 2100

Robert H. Frantz
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 19 November 2007 appealing from the Office action mailed 22 March 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,763,395	AUSTIN	7-2004
6,842,906	BOWMAN-AMUAH	1-2005

2002/0104071

CHARISIUS et al

8-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin (hereinafter "Austin", 6,763,395) in view of Bowman-Amuah (hereinafter "Bowman", 6,842,906).

As per Claims 1 and 5, Austin teaches a method of and computer readable medium encoded with software for providing an extension to a default set of resource functions in an enterprise application server, said application server having a default Universal Resource Locator (URL) stream handler factory class, said method comprising the steps of:

providing one or more extension URL providers, said extension URL providers each having a specified name, description, supported protocol and stream handler class name, and classpath (different attributes for URL protocol plug-in/extension) (at least col. 18, lines 6-20; col. 2, lines 12-27; col. 8, lines 25-55);

binding a reference to one or more extension URL objects into a global namespace (at least col. 8, lines 39-55; col. 11, lines 42-47; delegating protocol scheme to plug-in);

registering said extension providers to be used by an application program in a table of parameter sets having a protocol identifier and a stream handler class identifier (at least col. 9, lines 4-16; plug-in registered to handle protocol scheme);

overriding said default URL stream handler to enable an extension URL stream handler (at least col. 8, lines 25-55; extend by installing protocol plug-ins and incorporated as default protocol scheme); and

binding one or more extension URL objects into a namespace such that said registered extension URL providers and extension URL objects are available to and for use by an application program through a naming service (at least col. 11, lines 1-19; eg. DSTP URL connecting to DataSocket server).

Austin does not explicitly teach the use of an application server. However, the use and advantages for using such a server is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Bowman. Bowman clearly teaches the advantages of using an application server with a client (at least col. 33 lines 45 – col. 34 line 34) Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Bowman's application server into Austin's system as Austin teaches communicating with a web HTTP server and the server running applications and also the data socket server being a separate application running on the same machine as a data socket client (see col. 8,

lines 25-38; col. 14 line 57 - col. 15 line 21; col. 18, lines 6-20), and though Austin does teach embodiments of a 'two-tiered architecture with only clients, Bowman clearly outlines the disadvantages of such a model (at least col. 33, lines 24-43) in that the client has too heavy a burden, and as such a three-tiered model with an application server is advantageous for performing the application load.

As per Claims 2, 6, and 10, as set forth in Claims 1, 5, and 9, respectively, further comprising the steps of:

executing a computer instruction by an application program to lookup a resource object by a resource name via an application server naming service (at least col. 17, lines 37-43; client deriving name of the extension); and

retrieving a bound and registered extension URL object according to said resource name (at least col. 17, lines 37-50; col. 14, lines 18-41; unique extension name used by client).

As per Claim 3, 7, and 11, as set forth in Claims 1, 5, and 9, respectively, wherein said step of providing one or more extension URL providers includes specifying a classpath as a location of a jar file (at least col. 14, lines 7-12; col. 9, lines 41-47; col. 5, lines 37-40; use of java for extension).

As per Claim 4, 8, and 12, as set forth in Claims 1, 5, and 9, respectively, wherein said step of overriding said default URL stream handler is performed by executing a Java function to set the application server's URL Stream Handler Factory to said extension URL stream handler (at least col. 5, lines 32-45; program implemented by Java objects).

As per Claim 9, Austin teaches an extensible Universal Resource Locator (URL) resource system for an enterprise application server, said enterprise application server having a default set of resource functions in an enterprise application server and a default Universal Resource Locator (URL) stream handler factory class, said extensible URL resource system comprising:

one or more extension URL providers, said extension URL providers each having a specified name, description, supported protocol and stream handler class name, and classpath (different attributes for URL protocol plug-in/extension) (at least col. 18, lines 6-20; col. 2, lines 12-27; col. 8, lines 25-55);

a registry of said URL providers comprising a table having a parameter set for each URL provider, said parameter set comprising a protocol identifier and a stream handler class identifier (at least col. 9, lines 4-16; plug-in registered to handle protocol scheme);

a default URL stream handler factory overrider adapted to replace said default URL stream handler factory with an extension stream handler factory (at least col. 8, lines 25-55; extend by installing protocol plug-ins and incorporated as default protocol scheme); and

one or more bound references for of one or more URL objects into a namespace such that said registered URL providers and URL objects are available to an application program via a naming service (at least col. 11, lines 1-19; DSTP URL connecting to DataSocket server).

Austin does not explicitly teach the use of an application server. However, the use and advantages for using such a server is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Bowman. Bowman clearly teaches the advantages of using an application server with a client (at least col. 33 lines 45 – col. 34 line 34) Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Bowman's application server into Austin's system as Austin teaches communicating with a web HTTP server and the server running applications and also the data socket server being a separate application running on the same machine as a data socket client (see col. 8, lines 25-38; col. 14 line 57 - col. 15 line 21; col. 18, lines 6-20), and though Austin does teach embodiments of a 'two-tiered architecture with only clients, Bowman clearly outlines the disadvantages of such a model (at least col. 33, lines 24-43) in that the client has too heavy a burden, and as such a three-tiered model with an application server is advantageous for performing the application load.

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin in view of Bowman, further in view of Charisius et al (hereinafter "Charisius", 2002/0104071).

Austin and Bowman fail to explicitly teach said one or more extension URL providers on an application server comprise a provider compatible with or compliant with Java 2 Enterprise Edition (J2EE) specifications;

said step of binding a reference to one or more extension URL objects into a global namespace on said application server (at least Austin col. 8, lines 39-55; col. 11, lines 42-47; delegating protocol scheme to plug-in) comprises binding into a J2EE global namespace;

said step of registering said extension URL providers comprises registering with a J2EE application server;

said step of overriding said default URL stream handler to enable an extension URL stream handler comprises overriding a J2EE URL stream handler; and

said step of binding one or more extension URL objects into an application server namespace comprises binding into a J2EE application server namespace such that said registered extension URL providers and extension URL objects are available to and for use by a J2EE application program through an application server naming service.

However, the use and advantages for using J2EE is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Charisius. Charisius teaches the claimed limitations including J2EE compatible specifications and application servers (see paragraphs 157, 189-196, 202-204). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Charisius' J2EE enabled system into Austin and Bowman's system as this would allow compatibility and interoperability with the specification and guidelines of J2EE allowing proper working communications with such systems and future protocols and standards of Java as used in Austin and Bowman.

(10) Response to Argument

Applicant's arguments have been fully considered but they are not persuasive.

Appellant argues a *prima facie* case of obviousness has not been established as Austin teaches away from the proposed combination vis-à-vis server-based implementation of the invention. Appellant does not argue, and thus agrees, that the system of Austin performs the remaining functionality of the claims. As such, while Austin is primarily concerned with running the system on a user agent or client (see Abstract), Austin is not limited to the standard 'client' that one thinks of in a client-server structure, rather Austin's user agent/client is a web browser, such web browser could be used on a client or server. Austin teaches that any type of computer system configuration or architecture can be used as desired (at least col. 7:54-65). In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Appellant argues references cannot be combined where a reference teaches away from their combination. Appellant goes on to cite examples of Austin not interacting with an HTTP/web server. While Appellant cites example *embodiments*, including dependent claims and the abstract, of

not connecting with a web server, Austin also teaches communicating with HTTP/web server multiple times as well, including:

“the user agent 200 may communicate with a server, such as an HTTP server 210, via a network 206, such as the Internet or an Intranet” (col. 8:36-38);

“the user agent is a web browser or an application including web browser functionality. The user agent may be used for connecting to various types of servers such as HTTP or FTP servers” (col. 4:20-24);

“The Data Socket server is a stand-alone process running on a system to facilitate transfer of data between different processes when no other servers are in place. In many cases Data Socket clients exchange information with some other type of server such as a web server, automation server or file server... The Data Socket server is dynamically configurable such that any Data Socket can create tags (storage locations) in the Data Socket server. Any Data Socket client can then retrieve the stored information based on the name of the tag.” (col. 13:34-45);

“...provide some amount of interaction between a web browser and an application running on a server... The Data Socket client, e.g., a Data Socket ActiveX control, also enables a user to simply build such a remote application in a web page and provide a web browser-based interactive interface to a server application. Applications such as running remote experiments or providing web based supervisory control to an automation process become feasible and relatively simple to implement.” (col. 14:60-15:7); etc.


And while Austin does not explicitly teach the use of an *application* server, the use and advantages for using such a server is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Bowman. Bowman clearly teaches the advantages of using an application server with a client (at least col. 33 lines 45 – col. 34 line 34). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Bowman's application server into Austin's system as Austin teaches communicating with a web HTTP server and the server running applications and also the data socket server being a separate application running on the same machine as a data socket client (see above), and though Austin does teach embodiments of a 'two-tiered architecture' with only clients, Bowman clearly outlines the disadvantages of such a model (at least col. 33, lines 24-43) in that the client has too heavy a burden, and as such a three-tiered model with an application server is advantageous for performing the application load. Therefore, while Austin teaches the features of the claims substantially with reference to a two-tiered architecture, Austin teaches that any architecture can be used (col. 7:55-57). Austin further teaches his system communicating, at least, in some manner (col. 8:36-38) with HTTP servers. And as Bowman teaches the limitations of the two-tiered architecture of Austin and benefits/advantages of using a three- or multi-tiered architecture (at least col. 33 lines 45 – col. 34 line 34) with the application/web server handling much of the load that would otherwise be burdened on the 'client' computer system of Austin, Austin in view of Bowman teaches the features of claims 1, 5, and 9.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

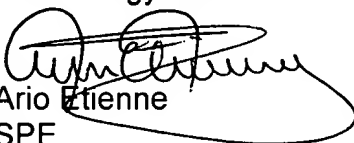
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Gregory Todd 
Patent Examiner
Technology Center 2100

Conferees:

/Lynne H Browne/
Lynne H. Browne
Appeal Practice Specialist, TQAS
Technology Center 2100


Ario Etienne
SPE
Technology Center 2100